



NIXON PEABODY LLP  
ATTORNEYS AT LAW

NIXONPEABODY.COM  
@NIXONPEABODYLLP

David A. Vicinanza

*Partner*

T 617-345-1177

dvicinanza@nixonpeabody.com

Exchange Place  
53 State Street  
Boston, MA 02109-2835  
617-345-1000

May 10, 2019

Cllr. T. Negbalee Warner, Senior Partner  
Heritage Partners & Associates, Inc.  
Heritage Hose, 1 Heritage Drive  
Old Road Junction, Congo Town  
1000 Monrovia 10 Liberia

**RE: More Than Me Foundation, Inc. (“MTM”)**

Dear Cllr. Warner:

My name is David Vicinanza. I am a senior partner with the law firm of Nixon Peabody and counsel of record for the More than Me Foundation, Inc. (“MTM”), and I am writing you at the request, and on behalf, of MTM’s Global Board of Directors.

First, we acknowledge receipt of your email to Dorbor Jallah, MTM’s Liberian Advisory Board Chair, which we received at 5:38 pm ET on May 9, 2019. Among other things, you extended an offer to MTM to share with the special Investigative panel “any specific concern/issue or matter relating to [the Panel’s] findings, conclusions, recommendations or otherwise.”

Upon discussion and subsequent to seeking legal counsel, the Global Board has decided to decline your gracious offer. A paramount concern of the Global Board was—and remains--the complete independence of the special Investigative Panel. The Global Board did not commission the investigation nor did we have any input into the membership of the panel or the scope of its work. As you may recall, from February 26<sup>th</sup>, the date the Panel first chose to share a draft for MTM’s review, through today, the only change we have requested is the omission of a footnote that included a misstatement of fact.

That we inadvertently received a “final” report on April 6<sup>th</sup>, with the erroneous footnote still included, and were subsequently sent what we now believe to be the correct final version on April 15<sup>th</sup>—and sought no further corrections beyond the footnote referenced above—further reflects our conviction that MTM should avoid at all costs even the appearance of attempting to influence the Panel’s work product.

As you may know, a former employee, a former Board member and a former Board member & officer have presented concerns to both MTM and the Panel about its process and certain findings in its report and are now, we have been informed, represented by counsel, who assert that the former Board member and the former Board member & officer were not provided an opportunity to be

interviewed by the Panel. Although we have no influence—nor have we sought any—over the Panel’s investigatory process or the contents of its report, we believe we are obliged to forward your email to them so that they may have the opportunity to request that the Panel review “any specific concern/issue or matter relating to [the Panel’s] findings, conclusions, recommendations or otherwise” that they may have. We have made clear to their respective legal representatives that any decision to extend this offer to them will be solely at the discretion of the Panel and that we have no say in the matter.

As to your request that the Panel be advised of “what MTM is doing to have the Panel’s Final Report published”, we refer you to the public statements made by the Liberian Advisory Board and the Select Committee of the Global Board at the time the special investigative panel was convened:

October 14, 2018 Statement by the Liberian Advisory Board of More Than Me: “The panel will be overseen by prominent Liberian lawyer, Counsellor T. Negbalee Warner, in collaboration with a globally recognized international counterpart from the African sub- region. The panel will come up with findings to get the Liberian perspective and present it to the public. Following the release of this report, the Liberian Board in consultation with the US Board will take appropriate actions.”

October 19, 2018 Letter to the Minister of Education, The Honorable Ansu D. Sonii, from the Select Committee of the Global Board of More Than Me: “Once we review reports from the various investigations, the More Than Me Board is committed, in partnership with our Liberian Advisory Board, to taking all appropriate actions allowable under U.S. federal and state laws governing nonprofit organizations.”

The Global Board also pledged in its October 19th letter to cooperate fully with all investigations, specifically those conducted by the Panel, McLane Middleton and various Liberian ministries. We believe we have done all that we could to support and assist McLane Middleton, whose audit we commissioned in October and released yesterday, and the Panel in the course of their respective investigations, and we stand ready to cooperate fully with the Liberian Ministries should they call upon us in the course of their investigations. However, the Panel’s report is not ours to release. Per the October 14<sup>th</sup> letter cited above, the Panel has the sole authority to make the report public, and, on May 6, you reiterated that the report belonged to the Panel, and not to MTM: “[The Panel’s] work in the matter is therefore 100% free of any cost to MTM and 0% compensation to any panel. Neither MTM nor anyone can therefore claim any proprietary interest in our report unless with our consent.” Hence, it is clear it is the Panel and your firm, and not MTM, that has the responsibility and authority to publish the Final Report; whether, when and how to present it to the public are decisions that you and the Panel need to make, as with all other investigation-related decisions.

We respectfully request that MTM be notified in advance of the Panel’s decision regarding the release of its report so that, if it is to be made public, we can provide all necessary support services to the victims of Macintosh Johnson and Cyrus Cooper. We have learned from trauma and safeguarding experts that publication of an investigatory report, while in the public interest, can precipitate flashbacks and related trauma in survivors of sexual assaults; however, advance notice and providing support prior to a report’s release can help minimize the severity of such a reaction.

Cllr. T. Negbalee Warner  
May 10, 2019  
Page 3

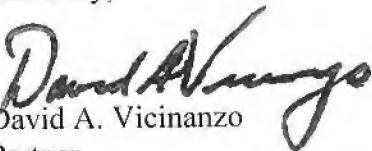
NIXON PEABODY LLP  
ATTORNEYS AT LAW

NIXONPEABODY.COM  
@NIXONPEABODYLLP

In closing, we wish to express our respect and gratitude to you and your fellow panel members. We commend you for—and deeply appreciate—your dedication and intensive work, and we thank you for the insights and recommendations you have provided—they will continue to guide us as we strive to provide a safe, quality education for our students.

On behalf of the Global Board of More Than Me Foundation, Inc., I am

Sincerely,

  
David A. Vicinanza  
Partner

DAV/chc